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ORIGIN EB-06

INFO OCT-01 IO-04 ISO-00 STR-01 OIC-02 AF-04 ARA-06 EA-06

EUR-08 NEA-06 RSC-01 FEA-01 AGR-05 CEA-01 CIAE-00

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TAGS: EGEN, UNGA, UNCTAD

SUBJECT: 29TH UNGA: SECOND COMMITTEE - ITEM 42, UNCTAD,
RESOLUTION ON MULTILATERAL TRADE NEGOTIATIONS

REF: USUN 4427

1. DRAFT RESOLUTION ON MULTILATERAL TRADE NEGOTIATIONS
A/C.2/L.1357 TRANSMITTED REFTEL UNACCEPTABLE IN WAYS DIS-
CUSSED BELOW AND DELEGATION INSTRUCTED TO VOTE AGAINST IT
IF SPONSORS UNWILLING TO AMEND IT TO MEET OUR MOST SERIOUS
OBJECTIONS. USDEL SHOULD COORDINATE POSITION WITH OTHER
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WEO DELEGATIONS, PARTICULARLY WITH THOSE OF THE EC COUNTRIES

AND JAPAN. OVERALL AIM SHOULD BE TO ENSURE THAT RESOLUTION ADOPTED DOES NOT GO BEYOND UNCTAD RESOLUTION 116(XIV) NEGOTIATED ON THIS SUBJECT AT UNCTAD TDB IN SEPTEMBER. THAT RESOLUTION RESULT OF SOLIDARITY OF GROUP B COUNTRIES ON THIS ISSUE.

2. PREAMBULAR PARA 2 INCORRECTLY REFERS TO MINISTERIAL MEETING IN TOKYO. IT WAS NOT A MEETING OF THE CONTRACTING PARTIES TO THE GATT, BUT OF THE COUNTRIES WHO HAD DECLARED THEIR INTENTION TO PARTICIPATE IN THE MULTILATERAL TRADE NEGOTIATIONS WHICH WERE AND ARE OPEN TO ANY COUNTRY WISHING TO PARTICIPATE.

3. PREAMBULAR PARA 4 SHOULD BE REDRAFTED TO EMPLOY THE LANGUAGE WITH RESPECT TO THE PROGRAM OF ACTION USED IN PREAMBULAR PARA 4 OF TDB RES 116(XIV), WHICH IS A DIRECT QUOTE FROM PARA 3(A) OF THE PROGRAM OF ACTION ON GENERAL TRADE.

4. PREAMBULAR PARA 5 INACCURATELY REFLECTS PARA 25(D) OF THE REPORT ON REVIEW AND APPRAISAL OF DECEMBER 17, 1973, TO WHICH IT REFERS. FURTHERMORE, THE US MADE A FORMAL RESERVATION ON PARA 25(D) SINCE IT INACCURATELY REFLECTED THE COMMITMENT MADE WITH RESPECT TO MANUFACTURED AND SEMI-MANUFACTURED GOODS IN THE INTERNATIONAL DEVELOPMENT STRATEGY (PARA 33). THE WORDS "FULLY AND STRICTLY" SHOULD BE INSERTED BEFORE THE WORDS "OBSERVED BY SOME DEVELOPED COUNTRIES," IN ORDER FOR THIS PREAMBULAR PARA TO REFLECT ACCURATELY PARA 25(D) OF THE REPORT ON REVIEW AND APPRAISAL.

5. PREAMBULAR PARA 6 INACCURATELY REFLECTS THE TOKYO DECLARATION WHICH STATED ONLY "THE MINISTERS INTEND THAT THE TRADE NEGOTIATIONS BE CONCLUDED IN 1975." THE PARA SHOULD BE AMENDED TO READ "THE DECLARATION ADOPTED IN TOKYO STATED THAT THE MINISTERS INTENDED THAT THE TRADE NEGOTIATIONS BE CONCLUDED IN 1975" AND TO DELETE THE RHETORICAL USE OF "EVEN."

6. OPERATIVE PARA 1 SHOULD BE AMENDED TO REMOVE THE WORD LIMITED OFFICIAL USE

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"DEADLINE" AND TO READ ALONG THE LINES "SO AS TO ENSURE THAT THE SCHEDULE FOR THE NEGOTIATIONS PROPOSED IN THE TOKYO DECLARATION MAY BE ADHERED TO."

7. OPERATIVE PARA 2 SHOULD BE REDRAFTED TO HAVE GENERAL APPLICATION, AND IF THE DEVELOPING COUNTRIES ARE UNWILLING TO HAVE IT SO AMENDED, IT SHOULD BE ELIMINATED. USDEL SHOULD AS APPROPRIATE PROPOSE AMENDING IT ALONG THE

FOLLOWING LINES: "STRESSES THE IMPORTANCE OF AVOIDING, WHEREVER POSSIBLE, THE ESCALATION OF RESTRICTIONS ON TRADE AND TO THIS END URGES ALL COUNTRIES TO REFRAIN FROM INTRODUCING, OR INCREASING THE INCIDENCE OF, CUSTOMS DUTIES OR NON-TARIFF BARRIERS, PARTICULARLY ON PRODUCTS OF EXPORT INTEREST TO DEVELOPING COUNTRIES, OR FROM HAVING RECOURSE IN ANY OTHER MANNER TO UNILATERAL MEASURES, OF EITHER GENERAL OR SPECIFIC NATURE, TO RESTRICT TRADE, PARTICULARLY SUCH AS WOULD AFFECT ADVERSELY EXPORT EARNINGS OF DEVELOPING COUNTRIES."

8. OPERATIVE PARA 3 SHOULD ALSO BE GENERALIZED OR ELIMINATED AND THE USDEL MAY PROPOSE LANGUAGE ALONG THE FOLLOWING LINES: "URGES ALL COUNTRIES WHICH HAVE RECENTLY

INTRODUCED OR IMPOSED IMPORT RESTRICTIONS ADVERSELY AFFECTING THE TRADE INTERESTS OF OTHER COUNTRIES, PARTICULARLY OF DEVELOPING COUNTRIES, TO ELIMINATE THEM AS SOON AS POSSIBLE."

9. OPERATIVE PARA 4 SHOULD BE AMENDED TO REFLECT THE CAREFUL COMPROMISE WORKED OUT IN OPERATIVE PARA 2 OF RES 116(XIV) WITH RESPECT TO ATTENDANCE OF THE UNCTAD SECRETARY GENERAL AT MEETINGS AND HIS RECEIPT OF DOCUMENTATION. THIS WOULD REQUIRE THAT THE PARA READ "TO ATTEND, AS APPROPRIATE, ITS MEETINGS AND THOSE OF ITS SUBSIDIARY BODIES, AND TO RECEIVE RELEVANT DOCUMENTATION FROM THE GATT SECRETARIAT CONCERNING THE NEGOTIATIONS." THIS AND OPERATIVE PARA 5 ARE THE CRUCIAL ELEMENTS IN THE DRAFT RESOLUTION ON WHICH THE USDEL SHOULD COORDINATE WITH THE OTHER WEO COUNTRIES IN ORDER TO OBTAIN A UNIFIED POSITION AS AT THE UNCTAD TDB. IF CHANGES ALONG THE LINES OF THE ABOVE ARE NOT OBTAINED IN OPERATIVE PARA 4, THE USDEL LIMITED OFFICIAL USE

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SHOULD VOTE AGAINST THE PARA AND AGAINST THE RESOLUTION.

10. OPERATIVE PARA 5 IS UNACCEPTABLE IN ITS BASIC POINT OF CALLING FOR PROGRESS REPORTS ON THE NEGOTIATIONS. THE VERY NATURE OF NEGOTIATIONS, THEIR DELICACY AND CONFIDENTIALITY, PRECLUDES PROGRESS REPORTS TO NON-PARTICIPANTS IN THE NEGOTIATIONS SINCE THEY HAVE NO ROLE TO PLAY. THIS PARA SHOULD BE ELIMINATED. AS A FALLBACK, THE USDEL MAY ACCEPT LANGUAGE INVITING THE DIRECTOR-GENERAL OF THE GATT TO PROVIDE A REPORT TO THE GENERAL ASSEMBLY ON THE WORK AND ACCOMPLISHMENTS OF THE MULTILATERAL TRADE NEGOTIATIONS AS THEY EMERGE FROM THE NEGOTIATIONS. IF THIS PARA IS NOT DELETED OR LANGUAGE ALONG THE LINES OF THE FALLBACK POSITION ACCEPTED, THE USDEL SHOULD VOTE AGAINST THE PARA AND SEEK INSTRUCTIONS ON THE VOTE ON THE RESOLU-

TION AS A WHOLE, BUT WITH THE EXPECTATION THAT THE US WILL
VOTE AGAINST THE RESOLUTION IN THAT CASE. THE US WOULD
ALSO BE UNWILLING TO ACCEPT REFERENCE TO THE PROGRAM OF
ACTION IN OPERATIVE PARA 5, AS IMPLYING THAT PROGRAM OF
ACTION HAS UNIQUE STATUS IN PROVIDING OVERALL GUIDANCE FOR
SUCCESSFUL COMPLETION OF MTN. INGERSOLL

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